(3)

Single Bench

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 4251 /2004

PETITIONER : Gangaram Sarathi S/o. Late Jagatram Sarathi, aged about 38 years, Ward boy Civil Hospital Kharsia, Distt. Raigarh (C.G.).

W.P. No. 4256/04
Presented by Shri ...
dated 02-11-04

VERSUS

RESPONDENTS :-

1. State of Chhattisgarh Through- The Secretary, Health & Family Welfare Deptt. Mantralaya, Raipur (C.G.)

2. The Director, Health Services, Raipur.

3. The Chief Medical & Health Officer, Raigarh.

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02/XI/04
Clerk to A. G. Bilaspur

PETITION UNDER ARTICLE 226 OF CONSTITUTION OF INDIA.

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4251/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

01.12.2004

Shri Malay Bhaduri, counsel for the petitioner.

Shri U.N.S. Deo, Govt. Advocate for the State.

Application for urgent hearing is allowed.

Heard.

Counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Civil Hospital, Kharsiya to Community Health Centre, Gharghoda, District Raigarh vide order dated 18.10.2004 (Annexure P-1). He also submits that the petitioner is presently working as a Ward Boy in the Health Department. He also submits that the petitioner's children are studying at Kharsiya. He also submits that petitioner is suffering from neuro and stomach diseases, Annexure P-2 is the copy of treatment certificate. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such

(22)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4251/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observation, this petition stands disposed of.

Consequently M.W.P.No.4615/04 also stands disposed of.

Sd/-
Fakhruddin
Judge

Gani/S

GRPRJ—FS/350—12/2000—50,000.

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